

# SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Correa Analyst: Kristina E. North Bill Number: AB 1567

Related Bills: See Prior Analysis Telephone: 845-6978 Amended Date: June 27, 2003

Attorney: Patrick Kusiak Sponsor: \_\_\_\_\_

**SUBJECT:** FTB Investigators/"Peace Officer" Status/Requirements & Training For Authorization To Carry Firearms

- ☒ DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as amended May 7, 2003.
- ☐ AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.
- ☐ AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended \_\_\_\_\_.
- ☐ FURTHER AMENDMENTS NECESSARY.
- ☐ DEPARTMENT POSITION CHANGED TO \_\_\_\_\_.
- ☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED MAY 7, 2003, STILL APPLIES.
- ☒ OTHER - See comments below.

## SUMMARY

This bill would expand the peace officer status of certain individuals.

## SUMMARY OF AMENDMENT

The June 27, 2003, amendments:

- ◆ Under current state law, a state investigator's peace officer authority is limited to specified purposes such as performing their primary duty or making an arrest under certain circumstances. This bill would broaden a state investigator's peace officer authority by removing the specification of purposes for which an investigator may use the peace officer authority.
- ◆ Allow certain peace officers to receive information from the Employment Development Department on a person for whom a felony arrest warrant has been issued.
- ◆ Remove the misdemeanor criteria.
- ◆ Specify that peace officers who are hired or appointed after July 1, 2004, must complete Specialized Investigators Basic Course or Regular Basic Course.
- ◆ Remove all provisions that would have been effective January 1, 2007.
- ◆ Make other changes that would not impact the department.

Board Position:

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<input type="checkbox"/> N	<input type="checkbox"/> OUA	<input checked="" type="checkbox"/> PENDING

Legislative Director

Date

Brian Putler

7/28/03

The amendments resolved the department's implementation and technical considerations discussed in the department's analysis of the bill as amended May 7, 2003. The remainder of the department's analysis still applies. However, as a result of the June 27, 2003, amendments, a new technical concern is added.

#### TECHNICAL CONCERN

This bill appears to expand the peace officer authority for certain state investigators by deleting the specific purposes for which an investigator may use his or her peace officer authority. However the extent of the expansion is unclear since the appointing authority, the primary duty, and the controlling peace officer subdivisions in the bill remain the same. The author may wish to clarify his intent for the expansion of authority.

#### POSITION

Pending.

#### LEGISLATIVE STAFF CONTACT

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